

# **EXHIBIT 7**

1 UNITED STATES DISTRICT COURT

2 FOR THE WESTERN DISTRICT OF NEW YORK

3 -----  
4 **BLACK LOVE RESISTS IN THE RUST, et al.,**  
5 **individually and on behalf of a class of**  
6 **all others similarly situated,**

7 Plaintiffs,

8 -vs-

1:18-cv-00719-CCR

9 **CITY OF BUFFALO, N.Y., et al.,**

10 Defendants.  
11 -----

12 **EXAMINATION BEFORE TRIAL OF JOSEPH GRAMAGLIA**

13 **APPEARING REMOTELY FROM**

14 **BUFFALO, NEW YORK**

15  
16 March 14, 2024

17 12:04 p.m. - 2:50 p.m.

18 pursuant to Rule 30(b)(6)

19 of the Federal Rules of Civil Procedure  
20  
21

22 REPORTED BY:

23 Carrie A. Fisher, Notary Public

DEPAOLO CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202  
716-853-5544

1 driving violent crime and property crime in  
2 the city, and it's our duty to know who is  
3 doing that and to be able to keep up-to-date  
4 information on that.

5 Q. Mm-hmm, mm-hmm. And you said at this time  
6 you're not aware if vehicle information is  
7 of -- of those individuals are included on  
8 that list?

9 A. No, not as a general rule. Have vehicles  
10 appeared with people on specific BOLOs?  
11 Absolutely, but those vehicles would appear if  
12 they are -- if they are attached to -- you  
13 know, most likely attached to a specific  
14 crime, something that recently occurred, then  
15 of course we're going to be looking for a  
16 vehicle.

17 But in order for us to stop a vehicle,  
18 we either have to have probable cause or we  
19 have to have reasonable suspicion that a  
20 specific crime occurred. But in order to stop  
21 a vehicle, you've got to have, again, I said  
22 probable cause. You've got to have, you know,  
23 a vehicle and traffic violation. If you don't

1 have that, then you need some other reasonable  
2 suspicion or probable cause that must be  
3 documented as to why you pulled a car over so  
4 why you're looking for a vehicle. Was that  
5 vehicle used in a shooting and our detectives  
6 are looking to hold that vehicle? That's a  
7 reason to stop the car absent a vehicle and  
8 traffic violation.

9 Q. If an individual is a witness to a shooting,  
10 is that a reason to stop a car?

11 A. If information comes from our -- from  
12 detectives that a vehicle was involved and  
13 they want it -- they want it held, they're  
14 going to get a warrant for it, then, yes, we  
15 will stop that vehicle. We will hold it.  
16 Just because you're a witness to something,  
17 that does not make that vehicle involved in a  
18 crime so, no, we would not have the requisite  
19 cause to stop that vehicle and/or detain that  
20 vehicle.

21 Q. Mm-hmm. All right. And is there any check to  
22 ensure that the individuals included on this  
23 list including gang members and associates is

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1 driving violence through vehicle stops; is  
2 that right?

3 A. Well, that certainly is a way of -- of the  
4 work that we're doing. It's vehicle and  
5 traffic; guns that are getting from point A to  
6 point B. They're not always walking them, so  
7 they're certainly driving them. But, you  
8 know, there's -- it's not that simple of a --  
9 you know, we're not just out there randomly,  
10 you know, pulling cars over for no reason.  
11 You have to have probable cause or demonstrate  
12 reasonable suspicion why you're stopping a  
13 car.

14 Q. Yeah, no, again my question -- I understand  
15 that. My question is to confirm, the BPD uses  
16 traffic and vehicle stops as part of its  
17 strategy to address gun violence and crime,  
18 correct?

19 A. I wouldn't say it in those terms. We don't  
20 have any written policy in our GIVE format  
21 that says you will stop cars to stop gun  
22 violence. We stop cars when we have evidence  
23 to stop cars and we have probable cause, but

1 STATE OF NEW YORK)

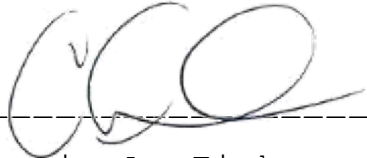
2 COUNTY OF ERIE )

3  
4 I, Carrie A. Fisher, Notary Public, in and  
5 for the County of Erie, State of New York, do  
6 hereby certify:

7 That the witness whose testimony appears  
8 hereinbefore was, before the commencement of  
9 their testimony, duly sworn to testify the  
10 truth, the whole truth and nothing but the  
11 truth; that said testimony was taken remotely  
12 pursuant to notice at the time and place as  
13 herein set forth; that said testimony was taken  
14 down by me and thereafter transcribed into  
15 typewriting, and I hereby certify the foregoing  
16 testimony is a full, true and correct  
17 transcription of my shorthand notes so taken.

18 I further certify that I am neither counsel  
19 for nor related to any party to said action,  
20 nor in anyway interested in the outcome  
21 thereof.

22 IN WITNESS WHEREOF, I have hereunto  
23 subscribed my name and affixed my seal this  
4th day of April, 2024.

24  
25   
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Carrie A. Fisher  
Notary Public - State of New York  
No. 01FI6240227  
Qualified in Erie County  
My commission expires 5/02/27

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